

HOUSE BILL REPORT

SHB 2503

As Amended by the Senate

Title: An act relating to modernizing the criteria for membership on the board of natural resources without altering the number of members.

Brief Description: Regarding membership on the board of natural resources.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representative Blake).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/14/10, 1/21/10 [DPS].

Floor Activity:

Passed House: 2/13/10, 95-0.

Senate Amended.

Passed Senate: 3/4/10, 48-0.

Brief Summary of Substitute Bill

- Changes the university representation on the Board of Natural Resources to allow the presidents of the University of Washington and Washington State University, or the designee of the presidents, to represent the two universities.
- Changes the county representation process for the Board of Natural Resources to eliminate the role of the Washington State Association of Counties.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Blake, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Liias, McCoy, Nelson, Pearson, Rolfes and Van De Wege.

Staff: Jason Callahan (786-7117).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Board of Natural Resources (Board) serves various functions in state government. It is primarily known as the administrative entity responsible for policies relating to the Department of Natural Resources and state trust land management. However, the Board also serves as the state's constitutionally required Commission on Harbor Lines and Board of Appraisers.

The Board is comprised of six members. Those members are required in statute to be the Governor or the Governor's designee, the Superintendent of Public Instruction, the Commissioner of Public Lands, a representative from both the University of Washington (UW) and Washington State University (WSU), and a representative of local government.

The representatives of the two universities are required to be the dean of the UW's "College of Forest Resources" and WSU's "College of Agriculture." Currently, these formal names do not exist for either university. The former UW College of Forest Resources is now a school within the College of the Environment and the dean of that college serves on the Board. The former WSU College of Agriculture is now the College of Agriculture, Human, and Natural Resources Science, and the dean of that college serves on the Board.

The Board member representing local government is required to be selected by the legislative authorities of counties that are trust beneficiaries of land overseen by the Board and must be an active member of one of the county's legislative authorities. Each applicable county has one vote in selecting the representative on the Board, and the Washington State Association of Counties is required to conduct a meeting for the purposes of making a county selection. The results of the county representative selection vote are forwarded to the Board by the Washington State Association of Counties.

Summary of Substitute Bill:

The requirements for service on the Board are changed for the university and county representatives. For both WSU and the UW, the specification as to which deans of specific schools within the universities are required to serve on the Board is removed. Instead, service on the Board is reserved for the university presidents or the designee of the university presidents.

The process for naming a Board representative from local government is changed to eliminate the required process by the Washington State Association of Counties. Instead of requiring the Washington State Association of Counties to conduct a meeting and report the results to the Board, the county representative will be selected through the coordination of a private statewide association representing the legislative authorities and executives of state counties

EFFECT OF SENATE AMENDMENT(S):

Specifically names to the Board of Natural Resources the director of the University of Washington School of Forest Resources and the dean of the Washington State University College of Agriculture, Human, and Natural Resources instead of allowing the university presidents to select the university representative; and retains the specific reference to the

Washington State Association of Counties in the selection process for a county representative to the Board of Natural Resources.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The current representative of the UW on the Board is the dean of the College of the Environment and not, as it has been in the past, the highest ranking faculty member with expertise in forest resources. The responsibility of the Board is more akin to the experiences and knowledge of the director of the School of Forest Resources, and this person is willing to serve again if allowed.

The UW School of Forest Resources continues the 102-year tradition of providing the state and the world with experts in natural resources, and the lead of that effort would provide invaluable information to the Board as it deliberates the proper management of state lands. The faculty of the UW School of Forest Resources has long taken pride and honor in having their director serve the state on the Board and the state is better served having a Board member with a direct connection to the technical expertise available at the UW School of Forest Resources.

It is important that the Legislature ensure the constitutionality of its enactments. It is more appropriate to not specifically name and assign duties to a private organization.

(In support with concerns) A private organization should not be involved with state government functions behind closed doors. The powers exercised by the Washington State Association of Counties are outside the proper scope of a private organization. Changes this statute should address the actual structure and not the technicality of how the organization is described.

(Opposed) Modernizing the Board is a good thing to do from time to time. Membership on the Board has been readjusted over the years to reflect the key land management issues of the day. The modern construct of having just trust beneficiaries is not how it has always been. Perhaps the Legislature should take a broader approach than just having trust beneficiaries. The Board deals with subject matters broader than just forest policy. It also has to make decisions regarding natural areas, mining, harbor lines, commercial property management, and other subjects.

Perhaps instead of managing which college or school in the UW and WSU are represented on the Board, the Legislature should just allow the university president or the president's designee to serve.

Persons Testifying: (In support) Representative Blake, prime sponsor; Josh Weiss, Washington State Association of Counties; Tom Hanson, University of Washington Forest Resources Alumni Board; and Jim Fridley, University of Washington School of Forest Resources.

(In support with concerns) Arthur West.

(Opposed) Miguel Perez-Gibson, Washington Environmental Council.

Persons Signed In To Testify But Not Testifying: None.